

PATENT  
Attorney's Docket No. 6209P002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**RECEIVED**

OCT 07 2004

In re Application of:  
Jason Goldberg, et al.  
Application No. 09/644,382  
Filed: August 23, 2000  
For: DISTRIBUTED PUBLISHING  
NETWORK

Examiner: Vincent F. Boccio  
Art Group: 2615

Technology Center 2600

**RECEIVED**  
**CENTRAL FAX CENTER**

SEP 24 2004

Mail Stop Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL AMENDMENT AND RESPONSE TO OFFICE ACTION**

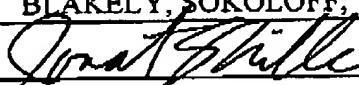
In response to the Office Action mailed April 5, 2004, in connection with the above referenced patent application, Applicants respectfully request entry of the following amendments and request reconsideration in view of the following remarks. Applicants request that the Supplemental Amendment and Response be considered in place of the Response filed July 6, 2004, if possible. The Supplemental Response differs from the previous Response by adding a set of defendant claims.



<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application No.	09/644,382	<b>RECEIVED</b>
		Filing Date	August 23, 2000	OCT 7 2004
		First Named Inventor	Jason Goldberg	
		Art Unit	2615	Technology Center 2600
		Examiner Name	Vincent F. Boccio	
Total Number of Pages in This Submission	18	Attorney Docket Number	6209P002	

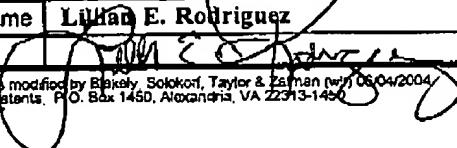
<b>ENCLOSURES (check all that apply)</b>			
<input checked="" type="checkbox"/> Fee Transmittal Form  <input checked="" type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  <div style="border: 1px solid black; padding: 5px; width: 150px; height: 40px; margin-top: 10px;">Facsimile Cover Sheet</div>	
		Remarks	

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Jonathan S. Miller, Reg. No. 48,534  BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP	
Signature		
Date	September 24, 2004	

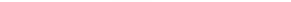
**CERTIFICATE OF MAILING/TRANSMISSION**

I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office.

Typed or printed name	Lillian E. Rodriguez	Date	September 24, 2004
Signature			

Based on PTO/SB/21 (04-04) as modified by Blakely, Sokoloff, Taylor & Zafman (06/04/2004)  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

<b>FEE TRANSMITTAL</b> <b>for FY 2004</b>		<i>Complete If Known</i>																																																																													
<i>Effective 10/01/2004. Patent fees are subject to annual revision.</i>		Application Number	09/644,382																																																																												
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.		Filing Date	August 23, 2000																																																																												
<b>TOTAL AMOUNT OF PAYMENT</b> <span style="border: 1px solid black; padding: 2px;">(\$)</span> <span style="border: 1px solid black; padding: 2px;">144.00</span>		First Named Inventor	Jason Goldberg																																																																												
		Examiner Name	Vincent F. Boccio																																																																												
		Art Unit	2615																																																																												
		Attorney Docket No.	6209P002																																																																												
		<span style="border: 1px solid black; padding: 2px;">RECEIVED</span> <span style="margin-left: 10px;">OCT 07 2004</span>																																																																													
<span style="border: 1px solid black; padding: 2px;">Technology Center 2600</span>																																																																															
<b>METHOD OF PAYMENT (check all that apply)</b>		<b>FEE CALCULATION (continued)</b>																																																																													
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None		<b>3. ADDITIONAL FEES</b>																																																																													
<input checked="" type="checkbox"/> Deposit Account		<b>Large Entity</b>	<b>Small Entity</b>																																																																												
Deposit Account Number <span style="border: 1px solid black; padding: 2px;">02-2666</span>		<b>Fee Code</b>	<b>Fee (\$)</b>	<b>Fee Code</b>	<b>Fee (\$)</b>	<b>Fee Description</b>	<b>Fee Paid</b>																																																																								
<input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments		1051	130	2051	65	Surcharge - late filing fee or oath																																																																									
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fees as required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet																																																																									
<input checked="" type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account		2053	130	2053	130	Non-English specification																																																																									
		1812	2,520	1812	2,520	For filing a request for ex parte reexamination																																																																									
		1804	920 *	1804	920 *	Requesting publication of SIR prior to Examiner action																																																																									
		1805	1,840 *	1805	1,840 *	Requesting publication of SIR after Examiner action																																																																									
		1251	110	2251	65	Extension for reply within first month																																																																									
		1252	400	2252	210	Extension for reply within second month																																																																									
		1253	850	2253	475	Extension for reply within third month																																																																									
		1254	1,480	2254	740	Extension for reply within fourth month																																																																									
		1255	2,010	2255	1,005	Extension for reply within fifth month																																																																									
		1404	300	2401	165	Notice of Appeal																																																																									
		1402	330	2402	165	Filing a brief in support of an appeal																																																																									
		1403	250	2403	145	Request for oral hearing																																																																									
		1451	1,510	2451	1,510	Petition to institute a public use proceeding																																																																									
		1452	110	2452	55	Petition to revive - unavoidable																																																																									
		1453	1,330	2453	685	Petition to revive - unintentional																																																																									
		1501	1,330	2501	665	Utility issue fee (or reissue)																																																																									
		1502	480	2502	240	Design issue fee																																																																									
		1503	640	2503	320	Plant issue fee																																																																									
		1450	130	2450	130	Petitions to the Commissioner																																																																									
		1807	50	1807	50	Preissuing fee under 37 CFR 1.17(q)																																																																									
		1806	180	1806	180	Submission of Information Disclosure Stmt																																																																									
		8021	40	8021	40	Recording each patent assignment per property (times number of properties)																																																																									
		1808	770	1808	385	Filing a submission after final rejection (37 CFR § 1.126(a))																																																																									
		1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.128(b))																																																																									
		1801	770	2801	385	Request for Continued Examination (RCE)																																																																									
		1802	800	1802	900	Request for expedited examination of a design application																																																																									
		<b>Other fee (specify)</b>		<b>SUBTOTAL (3)</b> <span style="border: 1px solid black; padding: 2px;">(\$)</span>																																																																											
<b>FEE CALCULATION</b>		<b>SUBTOTAL (1)</b> <span style="border: 1px solid black; padding: 2px;">(\$)</span>		<b>SUBTOTAL (2)</b> <span style="border: 1px solid black; padding: 2px;">(\$)</span>		<b>SUBTOTAL (3)</b> <span style="border: 1px solid black; padding: 2px;">(\$)</span>																																																																									
<b>1. BASIC FILING FEE</b>		<b>2. EXTRA CLAIM FEES</b>		<b>3. ADDITIONAL FEES</b>																																																																											
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; padding: 2px;">Large Entity</th> <th style="text-align: left; padding: 2px;">Small Entity</th> <th style="text-align: left; padding: 2px;">Fee Description</th> <th style="text-align: center; padding: 2px;">Fee Paid</th> </tr> </thead> <tbody> <tr> <td style="text-align: center; padding: 2px;">Fee Code</td> <td style="text-align: center; padding: 2px;">Fee Code</td> <td style="text-align: center; padding: 2px;">Fee (\$)</td> <td style="text-align: center; padding: 2px;"></td> </tr> <tr> <td style="text-align: center; padding: 2px;">1001</td> <td style="text-align: center; padding: 2px;">2001</td> <td style="text-align: center; padding: 2px;">385</td> <td style="text-align: center; padding: 2px;">Utility filing fee</td> <td style="text-align: center; padding: 2px;"></td> </tr> <tr> <td style="text-align: center; padding: 2px;">1002</td> <td style="text-align: center; padding: 2px;">2002</td> <td style="text-align: center; padding: 2px;">170</td> <td style="text-align: center; padding: 2px;">Design filing fee</td> <td style="text-align: center; padding: 2px;"></td> </tr> <tr> <td style="text-align: center; padding: 2px;">1003</td> <td style="text-align: center; padding: 2px;">2003</td> <td style="text-align: center; padding: 2px;">265</td> <td style="text-align: center; padding: 2px;">Plant filing fee</td> <td style="text-align: center; padding: 2px;"></td> </tr> <tr> <td style="text-align: center; padding: 2px;">1004</td> <td style="text-align: center; padding: 2px;">2004</td> <td style="text-align: center; padding: 2px;">385</td> <td style="text-align: center; padding: 2px;">Reissue filing fee</td> <td style="text-align: center; padding: 2px;"></td> </tr> <tr> <td style="text-align: center; padding: 2px;">1005</td> <td style="text-align: center; padding: 2px;">2005</td> <td style="text-align: center; padding: 2px;">80</td> <td style="text-align: center; padding: 2px;">Provisional filing fee</td> <td style="text-align: center; padding: 2px;"></td> </tr> </tbody> </table>		Large Entity	Small Entity	Fee Description	Fee Paid	Fee Code	Fee Code	Fee (\$)		1001	2001	385	Utility filing fee		1002	2002	170	Design filing fee		1003	2003	265	Plant filing fee		1004	2004	385	Reissue filing fee		1005	2005	80	Provisional filing fee		<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; padding: 2px;">Extra Claims</th> <th style="text-align: left; padding: 2px;">Fee from below</th> <th style="text-align: left; padding: 2px;">Fee Paid</th> </tr> </thead> <tbody> <tr> <td style="text-align: center; padding: 2px;">37</td> <td style="text-align: center; padding: 2px;">25<sup>o</sup> = 8</td> <td style="text-align: center; padding: 2px;">X 18.00 = \$144.00</td> </tr> <tr> <td style="text-align: center; padding: 2px;">7</td> <td style="text-align: center; padding: 2px;">7<sup>o</sup> = 0</td> <td style="text-align: center; padding: 2px;">X 86.00 = \$0.00</td> </tr> </tbody> </table>		Extra Claims	Fee from below	Fee Paid	37	25 <sup>o</sup> = 8	X 18.00 = \$144.00	7	7 <sup>o</sup> = 0	X 86.00 = \$0.00	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; padding: 2px;">Large Entity</th> <th style="text-align: left; padding: 2px;">Small Entity</th> <th style="text-align: left; padding: 2px;">Fee Description</th> </tr> </thead> <tbody> <tr> <td style="text-align: center; padding: 2px;">Fee Code</td> <td style="text-align: center; padding: 2px;">Fee Code</td> <td style="text-align: center; padding: 2px;">Fee (\$)</td> </tr> <tr> <td style="text-align: center; padding: 2px;">1202</td> <td style="text-align: center; padding: 2px;">2202</td> <td style="text-align: center; padding: 2px;">0</td> <td style="text-align: center; padding: 2px;">Claims in excess of 20</td> </tr> <tr> <td style="text-align: center; padding: 2px;">1201</td> <td style="text-align: center; padding: 2px;">2201</td> <td style="text-align: center; padding: 2px;">43</td> <td style="text-align: center; padding: 2px;">Independent claims in excess of 3</td> </tr> <tr> <td style="text-align: center; padding: 2px;">1203</td> <td style="text-align: center; padding: 2px;">2203</td> <td style="text-align: center; padding: 2px;">145</td> <td style="text-align: center; padding: 2px;">Multiple Dependent claim, if not paid</td> </tr> <tr> <td style="text-align: center; padding: 2px;">1204</td> <td style="text-align: center; padding: 2px;">2204</td> <td style="text-align: center; padding: 2px;">43</td> <td style="text-align: center; padding: 2px;">Reissue independent claims over original patent</td> </tr> <tr> <td style="text-align: center; padding: 2px;">1205</td> <td style="text-align: center; padding: 2px;">2205</td> <td style="text-align: center; padding: 2px;">9</td> <td style="text-align: center; padding: 2px;">Reissue claims in excess of 20 and over original patent</td> </tr> </tbody> </table>		Large Entity	Small Entity	Fee Description	Fee Code	Fee Code	Fee (\$)	1202	2202	0	Claims in excess of 20	1201	2201	43	Independent claims in excess of 3	1203	2203	145	Multiple Dependent claim, if not paid	1204	2204	43	Reissue independent claims over original patent	1205	2205	9	Reissue claims in excess of 20 and over original patent	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; padding: 2px;">Other fee (specify)</th> <th style="text-align: center; padding: 2px;">Fee Paid</th> </tr> </thead> <tbody> <tr> <td style="text-align: center; padding: 2px;">For number previously paid, if greater. For Reissues, see below</td> <td style="text-align: center; padding: 2px;">144.00</td> </tr> </tbody> </table>		Other fee (specify)	Fee Paid	For number previously paid, if greater. For Reissues, see below	144.00
Large Entity	Small Entity	Fee Description	Fee Paid																																																																												
Fee Code	Fee Code	Fee (\$)																																																																													
1001	2001	385	Utility filing fee																																																																												
1002	2002	170	Design filing fee																																																																												
1003	2003	265	Plant filing fee																																																																												
1004	2004	385	Reissue filing fee																																																																												
1005	2005	80	Provisional filing fee																																																																												
Extra Claims	Fee from below	Fee Paid																																																																													
37	25 <sup>o</sup> = 8	X 18.00 = \$144.00																																																																													
7	7 <sup>o</sup> = 0	X 86.00 = \$0.00																																																																													
Large Entity	Small Entity	Fee Description																																																																													
Fee Code	Fee Code	Fee (\$)																																																																													
1202	2202	0	Claims in excess of 20																																																																												
1201	2201	43	Independent claims in excess of 3																																																																												
1203	2203	145	Multiple Dependent claim, if not paid																																																																												
1204	2204	43	Reissue independent claims over original patent																																																																												
1205	2205	9	Reissue claims in excess of 20 and over original patent																																																																												
Other fee (specify)	Fee Paid																																																																														
For number previously paid, if greater. For Reissues, see below	144.00																																																																														

SUBMITTED BY		Complete (if applicable)			
Name (Print/Type)	Jonathan S. Miller	Registration No. (Attorney/Agent)	48,534	Telephone	(310) 207-3800
Signature				Date	09/24/04

SEARCHED on 11/20/2017, (10-03) as filed by Flaherty, Finnegan, Tietje & Zaffman (11 021 02004  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450